

AMENDED

Serial No. **ASSIGNED 59605**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office. DEC 14 1993  
 Returned to applicant for correction. JAN 27 1994  
 Corrected application filed. FEB 16 1994 Map filed FEB 16 1994 under 59604

The applicant. Hollis L. and Joyce C. Harris  
Box 244 of Pahrump  
Street and No. or P.O. Box No. City or Town  
Nevada 89041 hereby make... application for permission to change the  
State and Zip Code No.  
Manner of Use and Place of Use  
Point of diversion, manner of use, and/or place of use  
 of water heretofore appropriated under Permit No. 57166  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

1. The source of water is. underground  
Name of stream, lake, underground spring or other source.  
 2. The amount of water to be changed. .98 CFS not to exceed 200 acre feet annually  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.  
 3. The water to be used for. Municipal  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.  
 4. The water heretofore permitted for. Quasi-Municipal  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.  
 5. The water is to be diverted at the following point. within the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 21  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.  
T. 19 S., R. 53 E., M.D.M. at a point from which the northeast corner  
of said Section 21 bears N 45° E. at a distance of 3833.00 feet.

6. The existing permitted point of diversion is located within. no change  
If point of diversion is not changed, do not answer.

7. Proposed place of use service area of Desert Utilities, Inc. See attachment.  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use. all of Section 21 and a portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 22 T. 19 S., R. 53 E., M.D.M. See attachment.  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) See attachment.  
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works. \$100000

13. Estimated time required to construct works. two years

14. Estimated time required to complete the application of water to beneficial use..... ten years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

See attachment.

By Milton L. Sharp, P.E. - Agent  
s/ Milton L. Sharp  
1005 Terminal Way, #257  
Reno, Nv 89502

Compared gkl/ jv jr/vjw

Protested.....

**APPROVAL**  
**OF STATE ENGINEER**

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place and manner of use of the waters of an underground source as heretofore granted under Permit 57166 is issued subject to the terms and conditions imposed in said Permit 57166 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 59604, 59605 and 59606 shall not exceed 508.75 acre-feet annually.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 2)  
 The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.98 cubic feet per second, but not to exceed 200 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before January 6, 1996

Proof of completion of work shall be filed before February 6, 1996

Application of water to beneficial use shall be made on or before January 6, 1998

Proof of the application of water to beneficial use shall be filed on or before February 6, 1998

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed FEB 08 1999

Proof of beneficial use filed.....

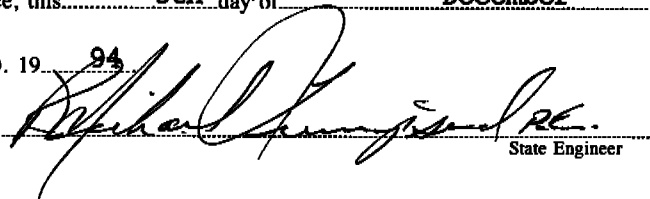
Cultural map filed.....

Certificate No. .... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 5th day of December,

A.D. 19 94

  
 State Engineer

(PERMIT TERMS CONTINUED)

Any cancellation or withdrawal of this permit will result in the water reverting back to the groundwater source and not the base right. The issuance of Permit 59605 totally abrogates Permit 57166.



## ATTACHMENT

Response to Item 7.

Proposed place of use is the service area for Desert Utilities, Inc. located within the Pahrump Valley of Nye County, Nevada, being portions of Township 19 South, Range 53 East, M.D.M. and more particularly described as follows:

In Section 15, the SW $\frac{1}{4}$  SW $\frac{1}{4}$ , the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , the NE $\frac{1}{4}$  SW $\frac{1}{4}$ ;

All of Section 21;

In Section 22, the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , the NE $\frac{1}{4}$  excluding therefrom all lands located Westerly from the East right-of-way line of State Highway 160 and the S $\frac{1}{2}$ ;

All of Section 28 excluding therefrom the SW $\frac{1}{4}$  SE $\frac{1}{4}$ ;

In Section 27, the N $\frac{1}{2}$  NW $\frac{1}{4}$  and the NW $\frac{1}{4}$  NE $\frac{1}{4}$ .

Response to Item 8.

Existing place of use is described as follows:

Parcel One - All of Section 21, T. 19 S., R. 53 E., M.D.M., an area of 640 acres more or less.

Parcel Two - A portion of the S $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 22, T. 19 S., R. 53 E., M.D.M., more specifically described as follows:

Beginning at the southwest corner of said Section 22, the TRUE POINT OF BEGINNING; thence along the south line of said Section 22, S 89° 57' 36" E a distance of 1,883.69 feet; thence N 00° 08' 08" W a distance of 939.30 feet; thence N 89° 55' 59" W a distance of 1,876.35 feet to a point on the west line of said Section 22; thence along the west line of said Section 22, S 00° 18' 43" W a distance of 940.19 feet to the TRUE POINT OF BEGINNING; an area of 38.0 acres more or less.

Response to Item 11.

Water will be used to serve customers of Desert Utilities, Inc. and specifically to provide service to support development of the Desert Trails project. Desert Utilities, Inc. is a public utilities company operating under authority granted by the Public Service Commission of the State of Nevada. Desert Trails is a land development project proposed to be developed by the Applicants. See also response to Item 15 for information regarding Desert Utilities, Inc. and Desert Trails.

Proposed improvements are defined as the second phase of development of the Desert Utilities, Inc. water supply and distribution system. See Application to Change Point of Diversion,



Manner of Use and Place of Use of the Public Waters of the State of Nevada heretofore appropriated under Permit No. 26358 for description of Phase One works of improvement.

Phase Two improvements will consist of the following:

Well is existing. Works of improvement will include installation of new pump and motor, hydro-pneumatic pressure regulating system, fire flow pump, transmission water main interconnecting existing wells in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  and the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 21, T. 19 S., R. 53 E., M.D.M., and transmission water mains for the purpose of delivering water to proposed residential subdivisions.

Response to Item 15.

The water heretofore appropriated under Permit No. 57166 will be used to serve customers of Desert Utilities Inc., a public utility company operating by authority of the Public Service Commission of the State of Nevada and specifically to support development of the proposed Desert Trails subdivision project. The proposed place of use is the approved service area of Desert utilities, Inc. and the proposed Desert Trails development is within the proposed place of use.

The Applicants are the developers of Desert Trails and the owners of the land proposed to be developed. The Applicants propose to convey title to water rights to Desert Utilities, Inc. in increments as required to support incremental development.

Water supply and distribution facilities are proposed to be developed by Desert Utilities, Inc. in phases. Customer service base will also be developed in phases consistent with conditions imposed on the utility company by the Public Service Commission. First phase of construction of improvements is defined in an Application to Change the Manner and Place of Use of a portion of water heretofore appropriated under Permit no. 26358. First phase service commitment includes the existing Allen Estates Subdivision and the first increment of Desert Trails. Under conditions imposed by the Public Service Commission, first phase service commitment will not exceed a total of 200 single family residential customers.

Second phase works of improvements are described in Item 11. Under conditions imposed by the Public Service Commission, second phase works of improvement must be constructed when service is provided to the utility company's 201st customer or when a "will serve" commitment for the second increment of the Desert Trails development is requested.

Upon construction of Phase 2 works of improvement, appropriation of water affected by this Application will be mingled with water heretofore appropriated under Permits No. 26358 and 57167 and will be available for service to customers of Desert Utilities, Inc. throughout the approved service area.





Following is a water budget for use of water heretofore appropriated by Permits No. 26358, 57166 and 57167 representing the first and second phases of development of the Desert utilities, Inc. water supply and distribution system.

WATER BUDGET  
DESERT UTILITIES, INC.  
FIRST AND SECOND PHASES OF DEVELOPMENT

Water Supply:

Permit No. 26358	-	298.15 AF/YR
Permit No. 57166	-	200.00 AF/YR
Permit No. 57167	-	<u>10.60 AF/YR</u>
Total Supply		508.75 AF/YR

Estimated Water Use:

Recreation park in Allen Estates Sub. (Total area 9.0 acres, estimated irrigated area 6.0 Acres)	
Water use, 6.0 acres @ 5.0 AF/AC.	30.00 AF/YR
Allen Estates, 226 lots @ .74 AF/YR.	167.24 AF/YR
Desert Trails, First Increment of Development 86 lots @ .74 AF/YR	<u>63.64 AF/YR</u>
Subtotal	260.88 AF/YR

Water not specifically allocated as of Nov. 1993.  
Use to be established by continuing development within Desert Utilities, Inc. service area.

	<u>247.87 AF/YR</u>
Total Use	508.75 AF/YR

NOTE, BASES OF WATER USE PROJECTIONS:

Water demand for residential lots is estimated as .74 acre feet per year for lots of 16,000 to 19,000 square feet. Demand for the 9 acre park is based on duty of 5.0 acre feet per acre for irrigated areas. Estimated residential demand rate is based on experience of the Public Service Commission and the Central Nevada Utilities Company, an established public utilities company providing water service to customers in the Pahrump Valley. The water use projection is an estimate only and actual water use will be determined and controlled



by metering of the water at the point of diversion and for individual customers. Actual number of residential lots served could increase or decrease based on actual water use.

